

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q83579

Akira NISHIYAMA, et al.

Appln. No.: Unknown ( National Stage Entry of PCT/JP03/06959)

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: December 3, 2004

Examiner: Unknown

For: PROCESS FOR PRODUCING OPTICALLY ACTIVE  $\beta$ -AMINO ALCOHOL

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

## INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: Unknown (National Stage Entry of PCT/JP03/06959)

Attorney Docket No.: Q83579

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of the corresponding International Search Report (ISR) citing such documents, indicating the degree of relevance found by the International Bureau.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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23373

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Date: December 3, 2004

Substitute for Form 1449 A & B/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		Application Number	Unknown (National Stage Entry of PCT/JP03/06959)
		Confirmation Number	Unknown
		Filing Date	December 3, 2004
		First Named Inventor	Akira NISHIYAMA
		Art Unit	Unknown
		Examiner Name	Unknown
Sheet	1	of	1
		Attorney Docket Number	Q83579

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US			
		US			
		US			
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		US			
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		US			
		US			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		DE	827950	A1	01-14-1952	Troponwerke Dinklage & Co.	
		DE	927690	A1	05-16-1955	Troponwerke Dinklage & Co.	
		GB	1413930	A	11-12-1975	Commercial Solvents Corp.	
		EP	1142864	A1	10-10-2001	Nagase & Co., Ltd.	

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Muller, V. H. K. et al, "Beziehungen zwischen Substituenteneinfluß und Reaktionsbedingungen bei der Reduktion racemischer α- (Phenylalkylamino)- propiophenone mit verschiedenen Kryptobasen" Journal für praktische Chemie, 1973, Vol. 315, No. 3, pages 449 to 462	
		Hwang, G. I. et al, "An Efficient Synthesis of Both Enantiomers of Cathinone by Regioselective Reductive Ring Opening of Substituted Aziridines", Tetrahedron, 1996, Vol. 52, No. 37, pages 12111 to 12116, particularly, examples	
		Sreekumar, R. et al, "Asymmetric Synthesis of Amines by the Reductive Amination of Ketones Using (+) and (-) Norephedrine Followed by Periodate Oxidation." Tetrahedron Asymmetry, 1993, Vol. 4, No. 9, pages 2095 to 2100, particularly, Scheme 1	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.